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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
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10 WENDY APODAC,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL, Acting  
14 Commissioner of the Social Security  
Administration,

15 Defendant.  
16

CASE NO. 2:16-cv-01372 JRC

ORDER ON UNOPPOSED MOTION  
FOR EQUAL ACCESS TO JUSTICE  
ACT FEES

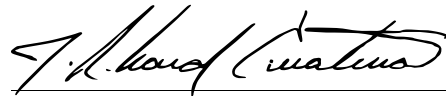
17 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local  
18 Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge  
19 and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 6).  
20 This matter is before the Court on plaintiff's Motion for Attorney Fees (*see* Dkt. 23). Defendant  
21 did not file a response or any objections to the motion (*see* Dkt.).

22 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), plaintiff's motion  
23 (*see* Dkt. 23), the attorney declaration and time and expense itemizations (Dkt. 23, Attachments  
24 1, 3), and the relevant record, it is hereby ORDERED that EAJA attorney's fees of \$3,769.48,

1 shall be awarded to plaintiff pursuant to the EAJA and consistent with *Astrue v. Ratliff*, 130 S.Ct.  
2 2521, 2524, 2010 U.S. LEXIS 4763 at \*\*\*6-\*\*\*7 (2010).

3 The Acting Commissioner shall contact the Department of Treasury after the Order for  
4 EAJA fees is entered to determine if the EAJA fees are subject to any offset. If it is determined  
5 that plaintiff's EAJA fees are not subject to any offset allowed pursuant to the Department of the  
6 Treasury's Offset Program, then the check for EAJA fees shall be made payable to Victoria B.  
7 Chhagan, Esq., based on plaintiff's assignment of these amounts to plaintiff's attorney (*see*  
8 Federal Court Retainer Agreement, Dkt. 23, Attachment 4, p. 1). If there is an offset, the  
9 remainder shall be made payable to plaintiff, based on the practice of the Department of the  
10 Treasury (*see, e.g.*, Case No. 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA fees shall be  
11 mailed to plaintiff's counsel, Victoria B. Chhagan, Esq., at Douglas Drachler McKee &  
12 Gilbrough, 1904 Third Avenue, Suite 1030, Seattle, WA 98101.

13 Dated this 2nd day of November, 2017.

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15 J. Richard Creatura  
16 United States Magistrate Judge  
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